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11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 **MICHAEL J. WOODCOCK,**

Petitioner,

15  
16 v.

17 **BEN CURRY, Warden,**

18 Respondent.  
19

C 07-3043 WHA (PR)

**DECLARATION OF  
COUNSEL IN SUPPORT OF  
APPLICATION FOR  
EXTENSION OF TIME TO  
FILE RESPONSE**

20 I, MICHELE J. SWANSON, declare under penalty of perjury as follows:

21 I am a Deputy Attorney General for the State of California and am assigned to  
22 represent respondent in this case. Respondent's answer or other responsive pleading is due  
23 October 15, 2007, pursuant to this Court's August 30, 2007 order granting respondent's first  
24 application for an extension of time. I am unable to meet this deadline, and request an extension  
25 of time to file a response to the petition for the following reasons.

26 I was not the attorney who handled this case on direct appeal. Since having this case  
27 assigned to me, I have been working on cases with chronological precedence, and in the past 30  
28 days I have filed an answer in *Delgado v. Horel* (C 06-5436 WHA (PR)) and a motion to dismiss

1 in *Johnson v. Malfi* (C 06-6376 MJJ (PR)). I have also completed a motion to dismiss in *Castillo*  
2 *v. Brown* (C 05-1177 WHA (PR)), and am now waiting for further documentation from the state  
3 trial court to attach as exhibits before filing the motion. I am currently working on the  
4 responsive pleadings in *Carpenter v. Kenan* (C 06-7408 JSW (PR)) and *Runge v. Evans* (C 06-  
5 2509 PJH (PR)). For these reasons, I need additional time to complete the response in this case.

6 Petitioner is in custody and representing himself. Therefore, I have not attempted to  
7 contact him to inform him about this application for an extension of time.

8 Accordingly, I respectfully request that the Court grant respondent an extension of 60  
9 days, to and including December 14, 2007, in which to file a response to the petition.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Executed at San Francisco, California, on October 15, 2007.

12  
13 /s/ Michele J. Swanson  
14 MICHELE J. SWANSON  
15 Deputy Attorney General

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